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10 Attorneys for Respondent
 11 CITY AND COUNTY OF SAN FRANCISCO

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

ANDREA ESQUIVEL, A minor, by and through her
 Guardian Ad Litem, GINA FLAMENCO, an adult;
 BRENDON RYAN VILLANUEVA, a minor, by and
 through his Guardian Ad Litem, EVELYN
 VILLANUEVA, an adult; KEVIN MARK
 VILLANUEVA, a minor, by and through his Guardian
 Ad Litem, EVELYN VILLANUEVA, an adult;
 MALCOM WRIGHT, a minor, by and through his
 Guardian Ad Litem, BENNY WRIGHT, an adult,

Petitioners,

vs.

SAN FRANCISCO UNIFIED SCHOOL DISTRICT,
 SAN FRANCISCO BOARD OF EDUCATION, CITY
 AND COUNTY OF SAN FRANCISCO, ERIC MAR,
 individually and as a Member of the School Board,
 MARK SANCHEZ, individually and as a Member of
 the School Board, JAME KIM, individually and as a
 Member of the School Board, KIM-SHREE MAUFAS,
 individually and as a Member of the School Board,
 NORMAN YEE, individually and as a Member of the
 School Board, JILL WYNNS, individually and as a
 Member of the School Board, HYDRA MENDOZA,
 individually and as a Membe of the School Board,
 CARLOS GARCIA, individually and as the
 Superintendent of the San Francisco School District, DAN
 KELLY, individually and as a former Member of the
 School Board, SARA LIPSON, individually and as a
 former Member of the School Board, DOES 1 to 100,

Respondents.

Case No. CV 07 5709 MHP

**RESPONDENT CITY AND
 COUNTY OF SAN
 FRANCISCO'S NOTICE OF
 WITHDRAWL OF MOTION
 AND MOTION FOR LEAVE
 TO FILE MOTION TO
 DISMISS**

Hearing Date: None requested.

Trial Date: Not set

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2 **TO PETITIONERS AND THEIR ATTORNEY OF RECORD:**
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4 **PLEASE TAKE NOTICE** that based upon the order of dismissal of the Respondent City and
5 County of San Francisco (the "City") from the above-captioned action, the City withdraws its request
6 for ten additional days to file a responsive pleading in this case and withdraws its request for leave to
7 file a motion to dismiss this action against the City pursuant to rule 12(b)(6) of the Federal Rules of
Civil before the initial Case Management Conference

8 DATED: February 15, 2008

9 DENNIS J. HERRERA
10 City Attorney
11 JOANNE HOEPER
12 Chief Trial Deputy

13 By: _____ /s/
14 JAMES F. HANNAWALT
15 Deputy City Attorney

16 Attorneys for Respondent City and
17 County of San Francisco

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